

REMARKS

Reconsideration of the present application is respectfully requested.

I. Status of the Claims

Claims 1 and 2 are pending.

Claim 1 is amended.

II. Objection under 37 CFR 1.83(a)

The Examiner has objected to the drawings under 37 CFR §1.83(a) as not showing each and every feature of the invention specified in the claims. Specifically, the Examiner cites “each of the first and second tip mounting seat” as not being provided within the submitted drawings. Applicants respectfully submit that FIGS. 1-3 clearly show all the elements described in claim 1. For example, FIG 1 clearly shows element 14, a second tip mounting seat, whose long side of the tip 22 provides a rake face in a cutter rotation direction. Similarly, FIG 1 also shows element 13, a first tip mounting seat, whose long side of the tip 22 provides rake faces in a cutter rotation direction. All of the referenced elements can also be found in FIGS 2-3. Specifically, elements 13, 14 and 22 are visible in FIG 2. Element 20 is detailed in FIG 3, where it is clear that each tip 20, posses two (2) long faces 22. See also ¶¶ [0073] and [0080] of the Published Application.

III. Rejections under 35 U.S.C. § 112

The Examiner has rejected claim 1 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner cites “on each of the first and second tip mounting seat such that one of the long sides faces provides rake faces.” as failing to comply with the written description requirement.

Applicants respectfully traverse the rejection.

Applicants respectfully point out that the above claim language is fully supported in the specification. The specification provides for a first throwaway tip mounted to a first mounting tip seat 13 such that one of the pair of long side faces 22 becomes a rake face. See ¶¶[0073] of the Published Application. Furthermore, the specification also provides for a second throwaway tip and tip mounting seat 14 orientated such that one of the pair of long side faces 22 is used as a rake face. See ¶¶[0080] of the Published Application.

Applicant's amendment of Claim 1 in the previous response might have been unclear in regards to the inclusion of the term "long." As such, Applicant has amended claim 1 for clarity. Claim 1 now recites a first throw-away tip mounted on a first seat and a second throw-away tip mounted on a second seat. Furthermore, these tips are arranged such that one of the long side faces of each tip becomes a rake face. Support for this amendment and reading of the claims can be found in ¶¶ 0073 and ¶¶0080 as well as FIGS. 1-2 of the Published Application. Therefore, the amended claims do not contain new matter. Based on the foregoing, Applicants submits that the rejection under 35 U.S.C. § 112, first paragraph, has been overcome and should be withdrawn.

IV Rejection under 35 U.S.C. §103(a)

The Examiner has rejected claims 1-2 under 35 U.S.C. § 103(a) as being unpatentable over U.S. 5,919,008 to Shimomura (Shimomura) in view of JP 2001-212712 to Nakasaki.

Applicants respectfully traverses the rejection and in light of Applicant's remarks regarding the rejection under §112, first paragraph, the present rejection is moot.

Applicants respectfully submit that the Shimomura and Nakasaki references, alone or in combination, fail to disclose or suggest a pin mirror cutter in which throw-away tips are mounted on first and second seats such that a thickness direction of the tip body is approximately aligned with the radial and axial directions of the cutter body, and as such, the rake faces in the cutter rotation direction for the throw-away tip in the first and second mounting seats are provided by a long side face.

As stated in the Response to Office Action mailed March 18, 2009 and herein incorporated by reference, Nakasaki does not disclose any embodiment where a tip is mounted on a mill with a thickness direction that is approximately aligned with the axial direction of a cutting tool. Furthermore, Nakasaki fails to point out that the tips in first and second mount seats both have rake faces provided by a long side face of the tip body.

In contrast, claim 1 of the instant invention recites that a throw-away tip is mounted on each of the first and second tip mounting seats such that the long side faces provide the rake faces in a cutter rotation direction. Again, as stated above claim 1 and the language contained therein is supported by ¶¶ 0073 and 0080 of the published application. Therefore, the claimed elements cited are not new matter and are fully supported by the original application as filed.

The Examiner has cited no combination of the cited prior art that provides for the complete invention as disclosed in claim 1. As such, the rejection of claim 1 under 35 U.S.C. §103(a) has been overcome and should be removed. Claim 2 depends from claim 1. Since claim 2 depends from a non-obvious claim, the subject matter of claim 2 is itself, non-obvious. As such the rejection of claim 2 under 35 U.S.C. §103(a) should likewise be removed.

CONCLUSION

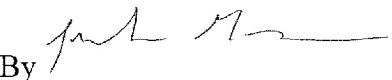
In view of the above discussion, applicant believes the pending application is in condition for allowance. It is believed that all of the stated grounds of rejections have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

In the event that an extension of time is required, or may be required in addition to that requested in a petition of extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely. The Commissioner is hereby authorized to charge any unpaid fees deemed required in connection with this submission or to credit to Deposit Account No. 50-4570.

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Respectfully submitted,

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